

COURT UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NEW YORK
SOFIA ZELDIN & BORIS ZELDIN

Index No. 07 CIV 9608

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

SEE ATTACHED RIDER

against
DAISUKE NONAKA, M.D., ET AL.,

Defendant(s)

FLORIDA
STATE OF NEW YORK, COUNTY OF PALM BEACH SS: The undersigned, being duly sworn, deposes and says: deponent is not a
party herein, is over 18 years of age and resides in THE STATE OF FLORIDA
That on 11/8/07 at 11:15AM, at 801 S OLIVE AVENUE, WEST PALM BEACH, FLORIDA
deponent served the within summons, and complaint on MAX M. COHEN, M.D.
SEE ATTACHED RIDER defendant therein named,

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.
a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be thereof.
a person of suitable age
by delivering thereat a true copy of each to
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 4
M. ☐
MAILING TO
BUSINESS
USE WITH 3 OR 4
B. ☐
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at and deposited
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3
☒ Male ☒ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☐ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☒ 5'4"-5'8" ☐ 131-160 Lbs.
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☐ Glasses ☒ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT. ☐
The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE ☒
I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Sworn to before me on
Subscribed and Sworn to before me on the 13th
day of November, 2007 by the affiant
who is personally known to me.

NOTARY PUBLIC

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

NOTARY PUBLIC-STATE OF FLORIDA
Michael Kargenian
Commission #DD362913
Expires: OCT. 26, 2008
Red Thru Atlantic Bonding Co., Inc.

Marshall A. Bishop
License No. 0785

UNITED STATES DISTRICT COURT

Southern

District of

New York

SOFIA ZELDIN & BORIS ZELDIN,

SUMMONS IN A CIVIL ACTION

Plaintiffs,

- against -

DAISUKE NONAKA, M.D., DAVID ROTH, M.D.
Ph.D, MAX M. COHEN, M.D., XINMIN ZHANG,
M.D., and NYU MEDICAL CENTER,

Case No.:

07 CIV 9608

JUDGE BAER

Defendant.

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To: Max M. Cohen, M.D.
NYU Medical Center
550 First Avenue
New York, NY 10016

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFFS' ATTORNEY

Noah Kushlefsky, Esq.
KREINDLER & KREINDLER LLP
100 Park Avenue
New York, NY 10017

an answer to the complaint which is herewith served upon you, within 20 days after service of
this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint.

J. MICHAEL McMAHON

OCT 29 2007

CLERK

DATE

Marco Quintero
BY DEPUTY CLERK